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22/7/85

MEMORANDUM OF UNDERSTANDING ON A COOPERATIVE PLANNING AND PUBLIC CONSULTATION PROCESS FOR WILDLIFE CONSERVATION AREAS

This agreement made this 7 day of August 1985.

BETWEEN: The Government of Canada (hereinafter referred to as "Canada") represented by the Minister of the Environment.

AND: The Government of the Northwest Territories (hereinafter referred to as "GNWT") represented by the Minister of Renewable Resources.

PREAMBLE: WHEREAS Canada and GNWT wish to support each other's objectives for the conservation of wildlife in the Northwest Territories;

AND WHEREAS the implementation of northern wildlife conservation initiatives will be consistent with the Northern Conservation Strategy and with land use policies and guidelines developed under the federal/territorial land use planning program, and with the DOE/DIAND Memorandum of Understanding respecting National Wildlife Areas;

AND WHEREAS CANADA is responsible for the protection and conservation of wildlife under the Migratory Birds Convention Act and the Canada Wildlife Act;

AND WHEREAS GNWT is responsible for the protection and conservation of wildlife under the Northwest Territories Act and the Wildlife Act;

NOW THEREFORE the Parties agree as follows:

Firstly The Parties understand that the Ministers' obligation to exercise their statutory discretion shall remain unfettered and that this exercise requires that the Ministers may or may not follow the procedure described in the following articles;

Secondly The Ministers agree, in respect of their statutory and administrative duties, to use their best endeavours to achieve the objectives of this Memorandum of Understanding;

Thirdly The activities pertaining to identifying, establishing and managing wildlife conservation areas (hereinafter referred to as "Areas") will be undertaken cooperatively, and that a federal-territorial Area Management Agreement detailing the management authority and terms and conditions for management will be developed for each Area.

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DEFINITIONS:

In this Agreement:

"Wildlife Conservation Area" is an area formally established under one or more of the above Acts, subsequent to this Agreement, to maintain habitats which are essential to the welfare of one or more wildlife or migratory bird populations, in the Northwest Territories.

"Designation" shall mean the establishment of a wildlife conservation area pursuant to the Canada Wildlife Act, the Migratory Birds Convention Act or the Territorial Wildlife Act.

"Area Management Agreement" is an agreement between the Canadian Wildlife Service and the Department of Renewable Resources on behalf of their respective Ministers which specifies the roles and responsibilities of the Department of the Environment and the Department of Renewable Resources in managing an area.

"Public Consultation" is the process of soliciting input from sources outside government on plans for designating and managing Areas, in accordance with the policies of the Department of Renewable Resources and the Department of the Environment.

PURPOSE:

The purpose of this Agreement is to ensure the maintenance and enhancement of wildlife and migratory bird populations by protecting their important habitats; and to provide a mechanism for cooperation between departments and consultation with the public leading to the coordinated management of wildlife and migratory birds and their habitats.

INTERDEPARTMENTAL COOPERATION

Priority Setting:

1) The Department of Renewable Resources and the Department of the Environment (hereinafter referred to as "the Departments") will identify important areas of habitat pursuant to their legislated wildlife management responsibilities.

2) The Departments will cooperatively review the importance of individual habitat areas in order to determine priority sites for designation.

3) The Minister of Renewable Resources and the Minister of Environment shall advise the Minister of Indian Affairs and Northern Development of these priorities and shall seek his/her support in proceeding towards designation.

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Preparations for Designation:

4) The Minister of Renewable Resources and the Minister of Environment will on mutual agreement select candidate Areas for proposed designation.

5) The Departments will jointly prepare a justification for each Area that is proposed for designation. The justification shall identify the proposed legislative basis for designation and shall specify which department shall assume lead responsibility for developing an Area Management Agreement.

6) The Departments will present the justification for each Area for consideration by their respective Ministers. The Minister of the Environment and the Minister of Renewable Resources will by common agreement determine whether to pursue the designation of each new Area.

Area Management Agreements:

7) An Area Management Agreement shall be developed by the Departments for each designated area in order to specify respective roles and responsibilities, and to provide the basis for developing an Area Management Plan.

8) The Area Management Plan shall specify the goals and objectives and the management, administration, financial and other arrangements for managing an Area.

Public Consultation and Information:

9) Canada and GNWT agree that there shall be public consultation with respect to proposed Areas. GNWT shall have primary responsibility for public consultation on all Areas within the Northwest Territories. Canada will participate in these public consultations as appropriate. Costs of public consultation will be allocated by mutual consent.

10) Public consultation will involve the community(ies) in the Northwest Territories potentially affected by the proposed Area(s). Other groups, including federal and territorial agencies and industry, having an interest in the Area(s) will be invited to participate in the consultation process.

11) The Departments agree to cooperate in the development and implementation of programs for public information respecting the designation and management of Areas established under this Agreement. Any public announcement regarding common activities under this Agreement, as well as any official opening ceremony for any projects under this Agreement, where such a ceremony is indicated and appropriate, shall be arranged cooperatively.

GENERAL:

The Departments shall prepare annual plans covering activities covered by this Agreement.

This Agreement shall be administered by the Regional Director of the Canadian Wildlife Service Department of the Environment and the Director of the Wildlife Management for the Department of Renewable Resources.

This Agreement may be amended or terminated in writing as agreed to from time-to-time by the Minister of Environment and the Minister of Renewable Resources.

SIGNATORIES:

IN WITNESS WHEREOF this Agreement has been executed on behalf of Canada by the Minister of the Department of Environment and on behalf of the Northwest Territories by the Minister of Renewable Resources.

IN THE PRESENCE OF:

Suzanne Blais-Grenier
MINISTER
DEPARTMENT OF ENVIRONMENT
GOVERNMENT OF CANADA

MINISTER
DEPARTMENT OF RENEWABLE RESOURCES
GOVERNMENT OF THE NORTHWEST TERRITORIES

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Memorandum of understanding on a cooperative planning and public consultation process for wildlife conservation areas.

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